

HOUSE No. 1158

By Mrs. Gomes of Harwich, petition of Shirley Gomes and others for legislation to direct the Department of Education to establish a teen court pilot program for high schools in the Commonwealth. Education.

The Commonwealth of Massachusetts

PETITION OF:

Shirley Gomes	Cleon H. Turner
Michael J. Coppola	Matthew C. Patrick
Robert A. O'Leary	

In the Year Two Thousand and Five.

AN ACT DIRECTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A CERTAIN PILOT PROGRAM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 The department of education is hereby authorized and directed
- 2 to establish a Teen Court pilot program for the high schools of the
- 3 commonwealth. Said program shall contain the following compo-
- 4 nents:—
- 5 A. Teen Court is an administration directed, student run pro-
- 6 gram located on high school campuses. Cases of disciplinary inci-
- 7 dents wherein individual students have admitted their guilt in
- 8 minor transgressions are forwarded at the discretion of the admin-
- 9 istration to the court. Trials shall be overseen by a faculty member
- 10 serving as judge, and judged by a jury of the defendant's peers.
- 11 B. Cases shall then be researched by means of interviews by
- 12 teen court members who will then prepare for trial. Such research
- 13 will consist of an interview of the defendant and any other faculty
- 14 member(s), student(s), or parent(s) who were directly involved in
- 15 the case.
- 16 C. A date shall be set at least two days in advance for trial
- 17 which shall then proceed in the manner of a scaled down court-
- 18 room trial.

- 19 a. The prosecution performs a cross examination of the witness
20 first.
- 21 b. The defense then directly examines the witness.
- 22 c. Each team has a chance to re-ask questions.
- 23 d. Closing statements are delivered, where suggestions are
24 made to the jury on the punishment of the defendant.
- 25 e. The jury deliberates and delivers a verdict.
- 26 D. Limits of the Teen Court program are set by administrators
27 and the school committee.
- 28 E. A student jury will decide the punishments based on the case
29 they have just heard and the suggestions made by the attorneys
30 during closing arguments. The jury is not restricted to the attor-
31 neys' suggestions, and may provide a different constructive sen-
32 tence if they deem necessary.
- 33 F. All cases deal with on campus disciplinary incidents which
34 include, but are not limited to:
- 35 a. Minor attendance violations (i.e., skipping school, skipping
36 class or leaving campus);
- 37 b. Minor smoking violations;
- 38 c. Whatever else the administration feels comfortable diverting
39 to the Teen Court.
- 40 G. The Teen Court will require a minor budget for court travel
41 expenses to aid in the establishment of courts in other regions.
- 42 The Teen Court program in effect at Nauset High School shall
43 serve as a model.